

SLR: MMD  
F#: 2009A58084/001

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA,

-against-

NATALE SPATA,

Defendant.

-----X

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ DEC 29 2009 ★

BROOKLYN OFFICE

CONSENT JUDGMENT

CV-09-3189  
(Glasser, J.)

IT IS HEREBY STIPULATED AND AGREED, by and between the Plaintiff United States of America (the "Plaintiff") and the Defendant NATALE SPATA (the "Defendant") that judgment be entered in favor of the Plaintiff and against the Defendant in the above-captioned action and that the judgment be satisfied on the following terms and conditions:

1. The Defendant acknowledges that he is indebted to the Plaintiff in the principal amount of \$49,782.07, plus costs and disbursements of \$85.00, amounting in all to the sum of \$49,867.07, together with interest from the date of this judgment as provided by 28 U.S.C. § 1961, and has no defense, counterclaim or offset thereto, and does hereby confess judgment to the United States upon the Complaint in the amount stated herein.

2. The Defendant agrees to pay to the Plaintiff the

sum of \$49,867.07, plus post-judgment interest at the legal rate in effect on the date judgment is entered, as provided by 28 U.S.C. § 1961.

3. The Defendant agrees to make monthly payments toward the amount set forth in Paragraph 2 above at a rate to be agreed upon by the Plaintiff and the Defendant, based upon the information contained in his financial statement and income tax returns.

4. The monthly payment amount shall be subject to review commencing in May 2010 and every six months thereafter; the amount of the monthly payment may be increased no more than twice in a given year, except nothing shall prohibit an increase of any amount at the request of the Defendant.

5. In the event of a default by the Defendant in the monthly payments provided for herein, and should such default remain uncured for 30 days, the Plaintiff shall have the right at its sole option and discretion, but no earlier than 30 days after giving the Defendant notice of the default by certified mail, to declare due and owing the entire amount above-acknowledged, together with interest, and to have execution therefor giving the defendant credit, however, upon any execution, for any and all payments made pursuant to this Consent Judgment.

6. Upon full and final payment by the Defendant of the amount stated above, the Plaintiff shall deliver a Satisfaction of Judgment to the Defendant.

7. This confession of judgment is for a debt now justly and truly due and owing to the Plaintiff as acknowledged in Paragraph 1 above.

8. The Defendant agrees not to oppose entry of this Consent Judgment by this Court or to challenge any provision of this Consent Judgment.

9. This court shall retain jurisdiction for the purposes of enforcing the terms of this Consent Judgment.


10. The effective date of this Consent Judgment shall be the date upon which it is entered by the court.

11. Upon approval and entry of this Consent Judgment by the Court, this Consent Judgment shall constitute a final judgment between and among the United States and the Defendant.


The Court finds that there is no just reason for delay and therefore enters this judgment as a final judgment under Fed. R. Civ. P. 54 and 58.

Dated: Brooklyn, New York  
December 22, 2009

BENTON J. CAMPBELL  
United States Attorney  
Eastern District of New York  
Attorney for Plaintiff  
271 Cadman Plaza East, 8<sup>th</sup> Fl.  
Brooklyn, NY 11201

By:   
MARY M. DICKMAN  
Assistant U.S. Attorney  
(718) 254-6022

Dated: Manorville, New York  
December 18, 2009

  
NATALE SPATA  
2 Grove Avenue  
Manorville, New York 11949  
(631) 874-2604

SO ORDERED:

Dated: Brooklyn, New York  
December 28<sup>th</sup> 2009  
S/ILG

I. LEO GLASSER  
United States District Judge

## Motions

1:09-cv-03189-ILG-MDG United States of America v. Spata

U.S. District Court

Eastern District of New York

### Notice of Electronic Filing

The following transaction was entered by Dickman, Mary on 12/23/2009 at 2:47 PM EST and filed on 12/23/2009

**Case Name:** United States of America v. Spata

**Case Number:** 1:09-cv-03189-ILG-MDG

**Filer:** United States of America

**Document Number:** 5

#### Docket Text:

**MOTION to Approve Consent Judgment by United States of America. (Attachments: # (1) Proposed Order Consent Judgment) (Dickman, Mary)**

**1:09-cv-03189-ILG-MDG Notice has been electronically mailed to:**

Mary M. Dickman    Mary.Dickman@usdoj.gov

**1:09-cv-03189-ILG-MDG Notice will not be electronically mailed to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

#### Electronic document Stamp:

[STAMP NYEDStamp\_ID=875559751 [Date=12/23/2009] [FileNumber=4900559-0]  
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523503398a626b7f584f4a22ed11cec19c3c76ee5b0f356ab4ae7bdcfdc4]]

**Document description:**Proposed Order Consent Judgment

**Original filename:**n/a

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STAMP NYEDStamp\_ID=875559751 [Date=12/23/2009] [FileNumber=4900559-1]  
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U.S. Department of Justice **Courtesy Copy**  
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United States Attorney  
Eastern District of New York

SLR: MMD  
F. 2009A58084/001

271 Cadman Plaza East  
Brooklyn, New York 11201

December 23, 2009

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I. Leo Glasser  
U.S.D.J.

The Hon. I. Leo Glasser  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Natale Spata  
Civil Action No. CV-09-3189 (Glasser, J.)

Dear Judge Glasser:

The United States respectfully requests that the Court  
"so order" the enclosed Consent Judgment executed by Defendant  
pro se Natale Spata in the above-referenced action.

Thank you for Your Honor's consideration of this  
request.

Respectfully yours,

BENTON J. CAMPBELL  
United States Attorney

By: 

Mary M. Dickman  
Assistant U.S. Attorney  
(718) 254-6022

Encl.

cc: (with enclosure)

Natale Spata, D.C.  
2 Grove Ave  
Manorville, New York 11949  
Defendant